

IN THE TENNESSEE REGULATORY AUTHORITY  
NASHVILLE, TENNESSEE

IN RE: PETITION OF BELL SOUTH )  
TO IMPLEMENT NEW AND ) DOCKET NO. 00-00041  
INCREASE EXISTING LATE )  
PAYMENT CHARGES )

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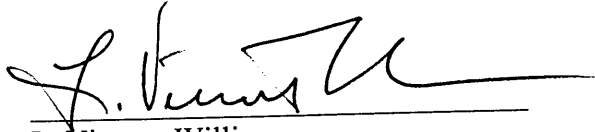
DISCOVERY UPDATE

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Please take notice that the Tennessee consumers update their response to the discovery propounded by BellSouth in the above referenced case.

- ▶ Tennessee consumers will rely upon BellSouth tariffs including but not limited to tariffs in effect for BellSouth prior to June 6, 1995; tariff definitions; tariffs A2; A4; A37; Tenn. Code Ann. § 65-4-122 (b) (extortion of Tennessee consumers when BellSouth is only a billing agent.); proposal is Anti-competitive since non-telecommunications company would not have the same protection by the government in the position of a billing agent as BellSouth would under its proposed tariff- BellSouth would be able to shift its billing "customers" costs to "end users" while competing billing agents do not have such authority under existing law, as a result it would achieve a competitive advantage and the goal in Tenn. Code Ann. § 65-4-123 and Tenn. Code Ann. § 65-5-208 (b) of regulating rates through competition can not be met; the proposed late charges would add to or increase regulated charges which must be paid prior to reconnection of service; BellSouth in an incumbent LEC; its similar companies are not ILEC's; Tenn. Code Ann. § 65-4-101 (d). BellSouth's tariffs speak for themselves.
- ▶ The Consumer Advocate Division admits that BellSouth is operating pursuant to a prospective price regulation plan effective on December 9, 1998. The Consumer Advocate Division elected not to file an Application for Permission to Appeal the Court of Appeals decision.

Respectfully submitted,



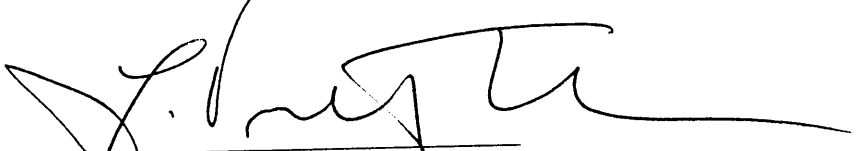
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Certificate of Service

I hereby certify that a true and correct copy of the foregoing Document has been faxed and mailed postage prepaid to the parties listed below this 2<sup>nd</sup> day of June, 2000.

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